

JOHN H. SURRETT.

MESSAGE
FROM THE
PRESIDENT OF THE UNITED STATES,
TRANSMITTING

Further copies of papers in answer to resolution of the House of 3d ultimo, relative to the arrest of John H. Surratt.

JANUARY 7, 1867.—Referred to the Committee on the Judiciary and ordered to be printed.

To the House of Representatives:

I have the honor to communicate an additional report of the Secretary of State relating to the discovery and arrest of John H. Surratt.

ANDREW JOHNSON.

WASHINGTON, January 3, 1867.

DEPARTMENT OF STATE,

Washington, January 3, 1867

The Secretary of State has the honor, in further answer to the resolution of the House of Representatives of the 3d ultimo, calling for "copies of all correspondence in the State Department relating to the discovery and arrest of John H. Surratt," to lay before the President a copy of the additional papers specified in the subjoined list.

WILLIAM H. SEWARD.

The PRESIDENT of the United States.

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No. 4.]

UNITED STATES CONSULATE,
Naples, November 21, 1866.

SIR: On Sunday morning, November 19, I received a despatch from Hon. Rufus King, minister at Rome, of which the following is a copy: "Surratt, conspirator against Lincoln, under the name of Watson, went to Naples the 8th. Arrest him if possible." I immediately went to the quistore here, and at three o'clock learned from him, through the police, that Surratt had sailed the evening before by the English steamer for Alexandria, touching at Malta. I immediately telegraphed to our consul at the latter port, informing him of the fact.

Since that time I have learned the following: Surratt came here about the 8th, dressed in the uniform of the Papal zouaves, having no passport, but stating that he was an Englishman who had just escaped from a Roman regiment. He stated that he had no money, and the police being somewhat suspicious of him, gave him (at his own request) lodgings in the prison, not exactly as a prisoner, but holding him for three days in surveillance, and questioning him as opportunity offered. He stated that he had been in Rome two months, that being out of money he enlisted in the Roman zouaves, and was put in prison for insubordination, from which he escaped by jumping from a high wall, or window, in doing which he hurt his back and arm, both of which were injured. On the third day he was asked to be taken to the British consulate, to which place one of the police went with him, when he complained of his confinement, stating that he was a Canadian, and the consul claimed his release as an English subject. In the mean time the police had found that he had twelve scudi with him, and on asking him why he went to prison, he replied that he wished to save his money. He remained here till Saturday, giving them some trouble at the English consulate, and exciting sympathy by his position of a young man of good appearance, without means, they not knowing of the money which the police had found. He expressed at the consulate the greatest desire to return to Canada, and through the influence of the consul he obtained passage on the steamer to Alexandria, some English gentlemen paying for his board during the voyage, and giving him a few francs. He still wore his uniform when he sailed.

The steamer left here Saturday evening at nine o'clock, clearing for Alexandria, but not having time to coal here, the captain intended to stop at Malta to do so, which would detain him all day Monday. The following is a copy of the despatch which I sent to our consul at Malta:

Sunday afternoon at three o'clock.—"Surratt, one of the conspirators against Lincoln, left here last evening on the steamer *Tripoli* for Alexandria, under the name of Waters or Watson. He has on the uniform of the Papal States. The steamer stops at Malta to-morrow to coal. Have him arrested. If you do not receive this in time, telegraph the consul at Alexandria." As there is a quarantine between Naples and Malta, he could not land there.

Signore Sa Cava, the quistore of Naples, exercised the greatest promptness in finding Surratt's whereabouts, sending word immediately to all the neighboring towns.

I have the honor to be, very truly, &c.,

FRANK SWAN, *Consul.*

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Winthrop to Mr. Seward.

No. 184.]

UNITED STATES CONSULATE,
Malta, November 22, 1866.

SIR: I have the honor to call your attention to the enclosed correspondence which has recently taken place between the Acting Chief Secretary to government and myself, in reference to the conspirator Surratt, who I think was a passenger in the English steamship Tripoli, which left for Alexandria on Monday afternoon, the 19th of November, 1866. This vessel coming from Naples had fifteen days quarantine, and the regulations are so severe as to absolutely prevent my having any communication with her while she remained.

I trust the course I have pursued with the local authorities in regard to Surratt will be sustained by the department.

It was only yesterday afternoon that I heard this individual on his examination hailed from Canada, and not "Candia," as stated in the honorable Mr. Legh's note No. 4,600, having been thus informed by this gentleman, who stated it was a clerical error, and requested me to correct it, and in my opinion a most important correction it is, for, if I now remember rightly, Surratt escaped to Canada when the diabolical murder of President Lincoln had been committed, and his whereabouts not known until the present time. It will be observed that the name John Agostini, given by the person who was dressed as a zouave, is an Italian, and not an American or Canadian name, and this, taken in connection with his strange uniform, the direction in which he was going, and hailing from Canada, has such a suspicious appearance as I think would have fully justified the government in detaining him until he could satisfactorily prove who he was.

Why the authorities here did not inform me that this man in the dress of a zouave was to be examined on board of the Tripoli, give me the result of the examination and answer my note, in which I requested that he might be detained under a proper guard, until he was about leaving the island, when it was too late for me to act, or write what had occurred to the consul general in Egypt, I am wholly at a loss to know. It certainly has the appearance of wishing to shun a responsibility which, under the circumstances, and in the face of my official note, they should have directly and manfully met. Had my wish and intention been carried into effect, or my request to the government granted, the conspirator Surratt would now be a prisoner in quarantine, as I earnestly hope he will be on arriving in Alexandria, for I have fortunately given every information to the consul general, who, having judicial powers, can act for himself, and not be hampered by legal quibbles, as I think I have been here.

In conclusion, I would only add that in my opinion a grave error has been committed by the local government in allowing this notorious criminal Surratt to escape, and to express a hope that such attention may be given to the accompanying correspondence as you may think it requires.

I have the honor to be, sir, your most obedient servant,

WM. WINTHROP,
United States Consul.

The honorable Mr. Legh has just called and stated that the Tripoli did not leave the island until half past five o'clock, but this does not alter the question, as the answer to my first note did not reach me until nearly four o'clock, when all public offices were closed, and, as you will please observe, I was asked in it for some official information which could not be sent to the secretary's office until nine the next morning, when the Tripoli would have been fifteen hours or more at sea. In my opinion, and I think I am correct, the unaccountable delay was caused by Sir Adrian Dingli, the crown advocate, who did not give my note his early attention when it came to his hands, and from whose minutes my answers were sent. I believe Mr. Legh was disposed to act with energy, but was checked elsewhere, and I trust this fact will be borne in mind should any international correspondence occur. I should add that this gentleman did not call on official business, but to inform me of his mother-in-law's decease, which had occurred only a half hour before.

I shall have the honor of writing in continuation of this subject by the next mail of the ensuing week, and then inform you of what I have communicated both by telegram and notes to the consul-general in Egypt for the arrest of Surratt. The hourly expected departure of the post for Marseilles only prevents my doing so now.

I have the honor to be, sir, your most obedient servant,

WM. WINTHROP, *Consul.*

Hon. F. W. SEWARD,

Acting Secretary of State, Washington.

UNITED STATES CONSULATE,

Malta, November 19, 1866.

SIR: I beg to inform you that last evening, at 8 o'clock, I received an official telegram from the American consul at Naples, stating that Surratt, a conspirator against the life of the lamented President Lincoln, had left that port on the previous night in the steamer Tripoli for Malta. The consul also stated that he was dressed in the uniform of a zouave of the Roman states, and passing either by the names of Walters or Watson, and directing me to arrest him.

In conformity with this instruction, and in accordance with the international law now existing between England and the United States for the arrest and delivery of criminals, I beg to ask, in the name of the American government, that the conspirator Surratt, as above described, may be landed and detained in Malta under a proper guard until I can make the necessary arrangements to send him for trial to the United States, where his crime was committed.

The steamer Tripoli having arrived this morning, may I beg to ask for an immediate answer?

I have the honor to be, sir, your most obedient servant,

WM. WINTHROP, *Consul.*

Hon. R. C. LEGH,

Acting Chief Sec'y to Gov't, &c., &c., &c.

UNITED STATES CONSULATE,

Malta, November 19, 1866.

SIR: Hearing that the steamer Tripoli is nearly ready to leave for Alexandria, may I beg for an answer to my official note of this morning, as on its receipt I have some important arrangements to make which cannot be done after the vessel has left.

I feel that any man who planned or assisted in the atrocious murder of our late President Lincoln must not escape if it is in my power to prevent it.

I have the honor to be, sir, your most obedient servant,

WM. WINTHROP, *Consul.*

Hon. R. C. LEGH,

Acting Chief Sect'y to Gov't, &c., &c., &c.

UNITED STATES CONSULATE,
Malta, November 20, 1866.

SIR: I have the honor to acknowledge the receipt of your communication, which reached me yesterday afternoon at four o'clock, just as the murderer Surratt was leaving the island in the steamer which brought him. I trust I may be permitted to remark that this unfortunate result was not unexpected by me, as you will please observe that in my second communication, written at one o'clock, I had stated that the steamer Tripoli was at that time nearly ready to leave for Alexandria, and requested an answer to my first note, sent at nine o'clock, which it was so important for me to receive before the vessel had left, there being no direct telegraph communication.

2. I had the honor to ask, in the name of the American government, that this notorious criminal might be arrested, and if an innocent person had been detained, I was wholly prepared to take any responsibility which might arise from the act.

I have the honor to be, sir, your most obedient servant,

WM. WINTHROP, *Consul.*

Hon. R. C. LEGH,

Acting Chief Sect'y to Gov't, &c., &c., &c.

UNITED STATES CONSULATE,
Malta, November 21, 1866.

SIR: I have the honor to acknowledge the receipt of your communication under yesterday's date, and regret that the important information it contained did not reach me until the day after the departure of the English steamer Tripoli for Alexandria, on board of which vessel I have every reason to suppose the criminal Surratt was a passenger. Since writing my last note, I have received a telegram from the Hon. Rufus King, directing me to arrest Surratt "without fail." In my opinion, the man who was dressed as a Roman zouave, by whatever name he went, was the person I wanted, and would have been arrested, had I the power to do it.

I have the honor to be, sir, your most obedient servant,

WM. WINTHROP,
United States Consul.

Hon. R. C. LEGH,

Acting Chief Sect'y to Gov't, &c., &c., &c.

No. 459S.]

CHIEF SECRETARY'S OFFICE,

Valletta, November 19, 1866.

SIR: In answer to your letter of this day's date, I am directed by the officer-administering the government to acquaint you that a conspiracy to commit murder is not one of the offences included in the 6th and 7th Vic., c. 76, unless

the murder intended, or an assault with intent to commit it, was actually perpetrated, so as to make the conspirator responsible as for murder or an assault with intent to commit murder. In your letter you do not say that the conspiracy in which Surratt had taken part was the same which obtained its object by the murder of the late President, Mr. Lincoln. Nor does your letter point to any evidence that the man going by the name of Walter or Watson is the conspirator Surratt.

Without some evidence giving satisfactory reasons to believe that the man Walter or Watson is indeed Surratt, and connecting him with the murder of Mr. Lincoln as an accomplice, that man, if apprehended, would within a very short time be discharged, and might then bring an action of damages for unlawful arrest, for which you would be responsible.

I am, therefore, directed to request that you will be good enough to furnish government with any evidence which you may possess regarding the identity of the individual.

I have the honor to be, sir, your most obedient servant,

R. C. LEGH,

Acting Chief Secretary to Government.

W. WINTHROP, Esq.,

Consul for the United States, &c.

No. 4600.]

CHIEF SECRETARY'S OFFICE,

Valletta, November 20, 1866.

SIR: With reference to my letter of yesterday's date, I am desired by the officer administering the government to acquaint you that the superintendent of police, to whom instructions have been given to make inquiries on board the Tripoli, has reported that there is no person of the name of Watson, or of any name like it, on board the vessel, and that the only person who is dressed as a zouave is a passenger who calls himself John Agostina, a native of Candia.

I have the honor to be, sir, your most obedient servant,

R. C. LEGH,

Acting Chief Secretary of Government.

W. WINTHROP, Esq.,

Consul of the United States of America.

No. 4608.]

CHIEF SECRETARY'S OFFICE,

Valletta, November 21, 1866.

SIR: I have to acknowledge the receipt of your letter of the 20th instant relative to your request for the arrest of an individual named Surratt, and passing under the alias of Walter or Watson, supposed to be on board the steamer Tripoli, which arrived in this port, from Naples, on the 19th instant; and I am directed by the officer administering the government to acquaint you, in answer, that no person answering your description having been found on that vessel, no arrest could, under the circumstances, have taken place.

You will already have learned from my second letter on this subject, No. 4,600, that, pending the question whether there were sufficient grounds for proceeding against the individual indicated in your first letter, the government did not fail to take steps to ascertain whether such person existed on board the vessel, and I am now directed to add, that the fact of no such person being on

board was ascertained some time previous to the departure of the Tripoli for Alexandria.

I have the honor to be, sir, your most obedient servant,

R. C. LEGH,

Acting Chief Secretary to Government.

W. WINTHROP, Esq.,

Consul for the United States of America, &c.

P. S.—I have also the honor to acknowledge the receipt of your letter of this day's date.

Mr. Marsh to Mr. Seward.

[Extracts and accompaniment.]

No. 169.]

LEGATION OF THE UNITED STATES,

November 24, 1866.

SIR: In pursuance of the request made by my note of the 16th instant to the ministry of foreign affairs, reported in my last despatch, the ministry ordered the local authorities at Sora to keep watch of Surratt for the time being, but no further proceedings were had; nor did I receive any additional information on the subject until Thursday, the 22d instant. On that day I received a letter from Mr. King, a copy of which is hereto annexed, and communicated it to the ministry of foreign affairs.

I am not advised whether Mr. King's information in respect to Surratt's having been at Sora proved accurate or not.

I have no information in respect to Mr. King's instructions from the State Department, and I have been at a loss to conjecture their nature, because Mr. McPherson stated to me that Mr. King had not made any request to the Papal government for Surratt's arrest, and that that government acted *proprio motu* in the matter. Still, as Mr. King has telegraphed to the consul at Malta, I presume he has felt himself authorized to request the consul-general at Alexandria to take measures for the arrest of Surratt, if found in Egypt, though his letter does not state that he has done so.

My present impression, judging from my last interview with the secretary general of foreign affairs, is that the accused would not have been surrendered; and it would therefore be fortunate if he should be found in the Turkish empire, where the extra-territorial jurisdiction of the consuls would empower them to arrest and detain him without offence to the Turkish government.

I have been surprised to find that the Florence correspondent of the London Morning Post is quite well informed as to the history of the case up to the time of Mr. McPherson's departure. * * * * * I can readily imagine that the correspondent could extract from him all he was able to recollect on the subject.

I have the honor to be, sir, your obedient servant,

GEORGE P. MARSH.

Hon. WILLIAM H. SEWARD,

Secretary of State.

LEGATION OF THE UNITED STATES AT ROME,

November 19, 1866.

DEAR SIR: I am this moment in receipt of your despatch of the 15th instant, and as I cannot reply to it in detail in season for to-day's mail, must content myself with these few lines to apprise you that a telegram from our consu

at Naples, dated yesterday, informs me that Surratt sailed from Naples for Alexandria on the 17th instant, (Saturday last,) by a steamer stopping at Malta to coal. Mr. Swan added that he had telegraphed to our consul at Malta. I did the same without delay, urging Surratt's arrest, but as yet have no reply. Surratt is apparently beyond the jurisdiction or protection of Rome, but I still hope for his arrest.

Very respectfully, yours,

RUFUS KING.

Mr. GEORGE P. MARSH,
United States Minister, &c., &c.

Mr. Winthrop to Mr. Seward.

No 185.]

UNITED STATES CONSULATE,
Malta, November 26, 1866.

SIR: I beg to inform you that at 8 p. m., on Sunday, November 18, 1866, I received the following telegram from the American consul at Naples, addressed "United States consul, Malta : "

"Surratt, one of the conspirators against Lincoln, left here last night on the steamer Tripoli, under the name of Walters or Watson. He has on the uniform of a zouave of the Papal States. The steamer stops at Malta for coal. Have him arrested. If you do not receive this in time, telegraph to the consul at Alexandria.

"FRANK SWAN, *Consul.*"

On Monday, 19th of November, not having received an answer to my official request that Surratt might be arrested, I sent, at 3 p. m., the following telegram, *via* Constantinople, to the American consul general in Egypt:

"Arrest Surratt, conspirator, passenger steamer Tripoli, now leaving. Dress Roman zouave; name, Walters, or Watson."

"WINTHROP."

The Tripoli having arrived in fifteen days' quarantine, and there being no possible way for me to communicate with her, I called in person on Mr. Rose, the consignee of the vessel, and handed him the following note, which I requested him to send to the agents and desire them to forward it to the Hon. Mr. Hale before the passengers were landed, which he kindly said he would do.

UNITED STATES CONSULATE,
Malta, November 19, 1866.

SIR: I beg to forward for your perusal a correct copy of a telegram received by me last night. I have earnestly requested the government here to arrest Surratt, and have waited for hours to receive an answer, but as none is yet received, and the Tripoli leaving in an hour, I am compelled to write. If Surratt came in the vessel Tripoli, he is on board now. I do not see his name Walters, or Watson, among the list of passengers; but as there are seventy-nine laborers, it is difficult to tell if he is among them. I have no doubt you will do the needful, that such a murderer may not escape. Please write me an answer, and let me know what has been done.

Very faithfully,

WILLIAM WINTHROP.

Hon. CHARLES HALE,
American Consul General, Alexandria.

At a quarter to 4 p. m., on the 19th of November, 1866, I received the following telegram from the American minister at Rome :

“MR. WINTHROP, *Malta* :

“Surratt, one of the conspirators in the murder of Lincoln, is represented to have left Naples yesterday for Alexandria, in a steamer stopping for coal at Malta. He passes under the name sometimes of Watson. Have him arrested without fail.

“RUFUS KING,
“*Minister Resident.*”

On Tuesday, November 20, 1866, I wrote the following note to the consul at Naples :

UNITED STATES CONSULATE,
Malta, November 20, 1866.

DEAR SIR : I received your telegram respecting the conspirator Surratt, on Sunday evening at 8 o'clock, and before nine the next morning had written to the acting chief secretary, asking that this notorious criminal might be landed and kept under guard until I could send him for trial to the United States, where his crime was committed. Notwithstanding I pressed for an immediate answer, both in my public despatch and by a private note, still it did not reach me until 4 p. m., when the steamer was ready to leave for Alexandria, and then, as I think, owing to legal quibbling, my request was not granted. This was most annoying, and I shall send all the correspondence to the honorable Mr. Seward, in the hope he will give the officials here some knowledge of the treaty now existing for the arrest and delivery of criminals, which they would appear so much to require.

It is most unfortunate that the Tripoli came in with fifteen days' quarantine, which absolutely prevented my having the least communication with the vessel, and it was equally unfortunate that the telegraphic cable between this port and Alexandria was broken down, so that no message can now be sent. But I at once sent a telegram to the consul general in Egypt, *via* Constantinople, which I am told will reach him in two days, and at least twenty-four hours before the Tripoli arrives. Having full judicial powers, it will not be a difficult matter for Mr. Hale to arrest the criminal before he lands, though it may cause him much trouble to identify Surratt, when he is among the seventy-nine laborers who are now on board the vessel.

The consignees of the Tripoli here kindly sent a letter from me to Mr. Hale, under cover of their agents in Alexandria, and to be delivered before the passengers land. I earnestly hope that either by my telegram or letter the criminal may be arrested. Should such be the case, I hope you will write me, that I may forward any and all information which may be necessary for the consul general to know.

Yesterday afternoon I received a telegram from the honorable Mr. King, minister at Rome. As I have no time to write by this mail, I should feel truly obliged if you would kindly send a copy of this note to Mr. King, that he may know what I have done.

Very respectfully,

WILLIAM WINTHROP, *Consul.*

FRANK SWAN, Esq.,
American Consul, Naples.

On the 21st of November, 1866, the Peninsular and Oriental Company's steamer Pera arrived from England bound to Alexandria, and by her I sent the two following notes to the consul general in Egypt :

UNITED STATES CONSULATE,
Malta, November 21, 1866.

SIR: By the Tripoli steamer, which left this island for Alexandria at 4 p. m. on the 19th of November, I sent you a copy of a telegram which had been received by me from the consul at Naples, a duplicate thereof being enclosed, as there is a copy of a telegram which I have recently received from the minister at Rome, in which I am instructed to arrest Surratt without fail.

On the afternoon of the 19th of November I sent you a telegram *via* Constantinople, requesting you to arrest Surratt, which I hope will reach you before the Tripoli arrives in your port. I shall keep you advised of any information which I may receive respecting this notorious criminal, and if I can be of service in sending a telegram for one of our ships-of-war in case you arrest him, or in any other way, please command me. I think it very possible, if this Surratt lands safely in Egypt, that he may hurry off to India, but perhaps through the assistance of the Peninsular and Oriental Company he might be discovered on the voyage, and arrested on his landing.

Very respectfully, yours,

WM. WINTHROP, *U. S. Consul.*

Hon. CHARLES HALE,

American Consul General, Alexandria.

P. S.—I have handed to Captain Ironson, the agent of the Peninsular and Oriental Company here, the originals of which the enclosed are duplicates, in the hope they will reach you sooner than by the delivery of the mail.

UNITED STATES CONSULATE,
Malta, November 21, 1866, 2½ p. m.

SIR: I have just been informed that the man dressed as a zouave hails from Canada, and not Candia. The acting chief secretary to government has given me this information. *I firmly believe this man is Surratt.* I think you can trace him from his Roman dress. If he changes it, there is doubtless some one amongst the many passengers who were on board who will recognize him for you. I think now you have a clew for the arrest of the murderer of our late lamented President Lincoln. I am writing in haste to save the mail.

Very respectfully, yours, &c.,

WM. WINTHROP.

Hon. CHARLES HALE,

American Consul General, Alexandria.

By the mail steamer China, which left on the 23d of November, 1866, I wrote to the consul general in Egypt the following note:

UNITED STATES CONSULATE,
Malta, November 23, 1866.

SIR: I wrote you by the steamer Tripoli, which left on the 19th of November, stating that Surratt, the conspirator against the late lamented President Lincoln, was on board that vessel, and asking you to arrest him; on the afternoon of the same date I sent you a telegram *via* Constantinople to the same effect.

On the 21st of November I wrote you two notes, which were kindly sent by the agent here to the agents in Alexandria, that they might reach you before the delivery of the post; and one note sent by mail, giving you all the information I had obtained respecting this notorious criminal, and sending you copies of the two telegrams which I had received from the minister at Rome and the consul at Naples, directing me to arrest him. I hope all my notes and telegrams have been duly received, and that Surratt has been arrested. I firmly

believe that the man dressed as a zouave of the Roman States, and going under the name of John Agostini, and hailing from Canada, is the conspirator whom we are in search of.

It is most unfortunate that the steamer Tripoli was in quarantine, which prevented my going on board to identify him, and it is very unfortunate that our telegraphic communication is now interrupted, which prevented my sending a message to you before the vessel arrived in your port. I earnestly hope that by the return of the mail steamer I shall hear you have arrested Surratt, and giving me directions to telegraph for a ship-of-war to receive him.

Very respectfully, yours,

WILLIAM WINTHROP.

Hon. CHARLES HALE,

American Consul General, Alexandria.

Having done myself the honor to give you a correct statement of what has occurred from six a. m. November 19, 1866, when the Tripoli arrived, up to the present time, I trust it will be observed that I did all in my power to secure the criminal Surratt, both at this island and on his arrival in Egypt. When any further information reaches me, I shall lose no time in forwarding it for your perusal, either by a telegram *via* London, or if not important in a public despatch.

I have the honor to be, sir, your most obedient servant,

WM. WINTHROF,
United States Consul.

Hon. F. W. SEWARD,

Acting Secretary of State, Washington.

Mr. Winthrop to Mr. F. W. Seward.

No. 186.]

UNITED STATES CONSULATE,
Malta, November 26, 1866.

SIR: I would beg to inform you that having been informed last evening by Colonel Mitford, who had the pleasure of the honorable Mr. Seward's acquaintance in Canada many years ago, that the ship-of-war Psyche was leaving in the morning for Marseilles to bring back Sir Henry Storks, the governor of the Island, I was writing until very late at night to avail myself of the present opportunity to send the accompanying despatches to you, thus saving several days before the departure of the next mail for England.

I am, sir, very respectfully, your obedient servant,

WM. WINTHROP.

Hon. F. W. SEWARD,

Acting Secretary of State, Washington.

Mr. King to Mr. Seward.

No. 68.]

LEGATION OF THE UNITED STATES AT ROME,

November 26, 1866.

SIR: In my last despatch I mentioned that I had telegraphed to our consul at Alexandria in regard to John H. Surratt. I enclose the translation of a communication from the chief of the telegraphic bureau in Rome, apprising me that, in consequence of the interruption in the wires, my despatch to Alexandria

was forwarded thither from Malta by steamer. The probabilities are that it was sent by the same steamer in which John H. Surratt is supposed to have sailed.

I also transmit, for the information of the department, the copy of a letter received from Mr. Swan, our consul at Naples, giving some further details of Surratt's proceedings during his brief stay in that city. I desire to add in this connection that I feel greatly indebted to Mr. Swan for his prompt and hearty co-operation in the efforts to arrest Surratt.

I obtained, a day or two since, from a clerk in a Roman bookstore, who knew Surratt quite intimately as John Watson, an original letter of his, which I enclose, as other specimens of his handwriting may be in possession of the Washington authorities. This clerk told me that Watson, *alias* Surratt, claimed to be a Canadian by birth, and represented that he had been a spy in the confederate service. I have also received, and herewith forward, a statement, from good authority, in reference to Surratt's arrival in the Papal dominions, and one of the several sources from which he obtained funds. I regret to be obliged to add that, up to the hour of closing this despatch, I have received no further intelligence about Surratt.

I have the honor to be, with great respect, your obedient servant,

RUFUS KING.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c.

[Translation.]

OFFICE OF THE PONTIFICAL TELEGRAPH,
Rome, November 21, 1866.

EXCELLENCY: The despatch presented yesterday by your excellency, addressed to the consul of the United States at Alexandria, Egypt, was sent *via* Malta, the Syria-Suez line being interrupted. After the despatch was sent we received advices that the line Beughazi, (Africa,) Alexandria was broken and the Syrian line re-established. It was then directed that the despatch should be transmitted by telegraph as far as Beughazi, and thence by mail to Alexandria, of which it was thought superfluous to give your excellency notice. Now they telegraph us from Malta that there being no postal service between Beughazi and Alexandria, the despatch in question was this day sent by steamer from Malta to Alexandria.

* * * * *

Chief of the Telegraphic Bureau.

To the MINISTER of the United States.

UNITED STATES CONSULATE,
November 21, 1866.

SIR: I have this morning received yours of the 19th instant. Since writing you, I have learned more of Surratt while here. He arrived at Naples about the time you stated, wearing the uniform of the Papal zouaves, having no passport, but stating that he was an Englishman who had deserted from a Roman regiment. He stated that he had no money, and the police, being somewhat suspicious of him, gave him, at his own request, lodgings in the prison; not exactly as a prisoner, but holding him during three days in surveillance, and questioning him as opportunity offered.

He stated that he had been in Rome ten months; that, being out of money,

he enlisted in the Roman zouaves, &c.; that he was put in prison for insubordination, from which he escaped, jumping from a window or high wall, in doing which he hurt his back and arm, both of which were injured.

On the third day he asked to be taken to the British consulate, to which place one of the police went with him, when he complained of his confinement, stating that he was a Canadian, and the consul obtained his release as an English subject. In the mean time the police had found that he had some twelve scudi with him, and on asking him why he went to prison, he replied that he wished to save his money. He staid about here till Saturday, giving them some trouble at the English consulate, and exciting sympathy by his position, that of a young man of good appearance without money—they not knowing of the money which the police had discovered.

At the consulate he expressed the greatest desire to return to Canada, and through the influence of the consul he obtained passage on the steamer to Alexandria, some English gentlemen paying for his board during the voyage, and giving him a few francs. He still wore his uniform when he sailed.

The steamer left here Saturday evening at nine o'clock, clearing for Alexandria, but, not having time to coal here, the captain intended to stop at Malta to do so, which would detain him all day Monday; as there is a quarantine between Naples and Malta, Surratt could not land.

I hope to hear from you to-day that he is taken.

I have the honor to be, very truly yours,

FRANK SWAN.

Hon. RUFUS KING, *Minister, &c.*

CEROLI, August 30, 1866.

DEAR SIR: Will you be so kind as to send me a French and English grammar—the best method you have. I think Ollendorf's is most in use. When I come to Rome I will settle with you. I shall be in in the course of two or three weeks. If you should have the time to reply to me, please give me all the news you can. By so doing you will greatly oblige your friend,

JOHN WATSON, *3d Compagnie, Verol.*

EDWARD T. O'CONNOR, Esq.

About twelve months ago Mr. Surratt came to Rome under the name of Watson. In Canada he procured letters from some priests to friends in England. Having left England for Rome, he got letters for some people here, amongst others for Rev. Dr. Neane, rector of the English College. Being detained for some days at Civita Vecchia, and having no money to pay his expenses there, he wrote to Dr. Neane, from whom he received fifty (50) francs.

On his arrival here he went to the English College, where he lived for some time. After that he entered the Papal service.

ROME, November 25.

Mr. Hale to Mr. Seward.

No. 66.]

AGENCY AND CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,
Alexandria, Egypt, November 27, 1866.

SIR: I have the honor to report that, in consequence of a telegram received, via Constantinople, from Mr. King, United States minister at Rome, and of

several letters received from Mr. Winthrop, United States consul at Malta, (the Mediterranean wire being, unfortunately, broken between Malta and this place,) I have this day arrested a man calling himself Walters, dressed in the uniform of a zouave, who arrived at Alexandria on the 23d instant in the steamship Tripoli, from Naples, and who is believed to be John Harrison Surratt, one of the conspirators for the assassination of President Lincoln.

The telegram and some of the letters having been delayed in transmission, I was fortunate in finding the man still in quarantine among the third-class passengers, of whom there is no list whatever. It was easy to distinguish him among seventy-eight of these by his zouave uniform, and scarcely less easy by his almost unmistakable American type of countenance. I said at once to him, "You are the man I want; you are an American." He said, "Yes, sir; I am." I said, "You doubtless know why I want you. What is your name?" He replied promptly, "Walters." I said, "I believe your true name is Surratt," and in arresting him mentioned my official position as United States consul general. The director of quarantine speedily arranged a sufficient escort of soldiers, by whom the prisoner was conducted to a safe place within the quarantine walls. Although the walk occupied several minutes, the prisoner, close at my side, made no remark whatever, displaying neither surprise nor irritation. Arrived at the place prepared, I gave him the usual magisterial caution that he was not obliged to say anything, and that anything he said would be at once taken down in writing. He said, "I have nothing to say. I want nothing but what is right." He declared he had neither passport, nor baggage, nor money except six francs.

His companions confirm his statements in this respect. They say he came to Naples a deserter from the Papal army at Rome. I find that he has no papers, and no clothes but those he is wearing.

The appearance of the prisoner answers very well the description given of Surratt by the witness Weichmann, at page 116 of Pittman's Report, officially sent to me by the government, and is accurately portrayed in the likeness of Surratt in the frontispiece of the same volume. Mr. King and Mr. Winthrop speak in confident terms of the identity of the zouave Walters with Surratt, and, after seeing the man, I have not a shadow of doubt of it.

According to the well established public law of this place, as the prisoner avowed himself an American, and submitted, without objection, to arrest by me on my statement that I acted for the United States, and especially as he has no paper to suggest even a *prima facia* claim for belonging to any other jurisdiction, there is no other authority which can rightfully interfere here with his present custody; and I have good reason for saying that no attempt at interference will be set on foot by any authority, whatever pretensions he may make. The prisoner's quarantine will expire on the 29th; he will then be received into the prison of the local government, which cordially gives me every assistance.

It will readily occur to you that the only convenient way of transferring the prisoner to the United States will be by an American man-of-war, and I earnestly hope that one may soon come here to receive him.

Although the arrest was finally made with ease, I ought to say that the necessary precautions to avoid possible failure caused some anxiety to the consulate general, and that I received valuable and faithful assistance from my clerks, Messrs. Edwards, Elias, and Charles Chevrier.

I have the honor to be, sir, very respectfully, your most obedient servant,
CHARLES HALE.

Hon WILLIAM H. SEWARD,
Secretary of State.

Mr. Winthrop to Mr. F. W. Seward.

No. 187.]

UNITED STATES CONSULATE,
Malta, November 30, 1866.

SIR: In my official despatches Nos. 184, 185, and 186, I had the honor to send you copies of all correspondence which had passed through the consulate respecting the conspirator Surratt up to the time of my writing. I now have only to forward a copy of a note which I have since written to the American minister at Rome, in answer to the telegram he sent me to arrest the man "without fail."

I have the honor to be, sir, your most obedient servant,

WM. WINTHROP.

Hon. F. W. SEWARD,
Acting Secretary of State, Washington.

UNITED STATES CONSULATE,
Malta, November 26, 1866.

SIR: I have the honor to acknowledge the receipt of your telegram, which reached me at $\frac{1}{2}$ to 4 p. m. on Monday, the 19th of November, 1866. The telegram from the consul at Naples came to my hands at 8 p. m. on Sunday, the previous evening. I used my best exertions to arrest the notorious criminal Surratt, but the local government did not accede to my request, and the murderer went on to Egypt in the steamer which brought him. I have sent correct copy of all the correspondence to the honorable Mr. Seward at Washington, and desired him to give it the attention which he may think it requires. I am of the opinion that the action of the authorities here is most unaccountable, and I earnestly hope the honorable Secretary of State will call for a direct and full explanation. I asked in the name of the American government that Surratt might be landed and kept under proper guard until I could send him for trial to the United States, where his offence was committed. Legal quibbling only prevented my request from being granted; whether such a course was justifiable will be known when the honorable Mr. Seward shall be pleased to express his opinion.

Fortunately, I have sent to the consul general in Egypt all the information which I possessed, and he, possessing judicial powers, will not be thwarted in his movements as I have been here.

When the telegraphic cable is repaired, or the mail returns from Egypt, I hope and expect to hear from the Hon. Mr. Hale that Surratt is arrested. There was a man on board the Tripoli dressed as a zouave, but the name of Walters or Watson was unknown. He gave the name of John Agostini, hailing from Canada, and in my mind was the person we wanted. A murderer may change his name at any time, and the authorities should therefore have paid more attention to my description of the Roman uniform in which the conspirator was clothed, and acted upon it. By so doing, they would not have assumed the least responsibility, as it all rested on me by the official note I had written. This is my opinion of the subject, and it has been very freely expressed.

Should I hear anything important from Egypt, I shall have the pleasure of writing again.

I have the honor to be, sir, your most obedient servant,

WM. WINTHROP,
U. S. Consul.

Hon. RUFUS KING,
American Minister, Rome.

Mr. Winthrop to Mr. F. W. Seward.

No. 188.]

UNITED STATES CONSULATE,

Malta, December 1, 1866.

SIR: I have the honor to inform you that the consul general in Egypt has informed me of his having arrested the conspirator Surratt, and I am to telegraph to the admiral on this station to send a ship-of-war to Egypt to receive him on board. The want of time prevents my adding more, as the mail is now closing for Marseilles.

Mr. Hale has kindly sent me a copy of his despatch to the Hon. Mr. Seward, and it is the latest information I have.

I have the honor to be, sir, your most obedient servant,

WILLIAM WINTHROP.

Hon. F. W. SEWARD,

Acting Secretary of State, Washington.

Mr. King to Mr. Seward.

No. 70.]

LEGATION OF THE UNITED STATES,

Rome, December 2, 1866.

SIR: Early this morning I received a despatch in French from our consul general at Alexandria, of which the following is a translation:

"AMERICAN MINISTER, *Rome*:

"I have arrested the individual; he is in prison. Send papers if you have them.

"HALE, *American Consul.*"

As this despatch was dated "Alexandria, Nov. 27, 11.48 a. m." and only reached Rome at 6.20 a. m. of December 2, it must have been sent by steamer to Malta or Naples, and thence by telegraph to Rome. There being at present no direct telegraphic communication between Rome and Alexandria, and as the speediest way of reaching Mr. Hale, I telegraphed Mr. Winthrop, at Malta, advising him of Surratt's arrest, and requesting him to send word to Mr. Hale to keep Surratt in safe custody till he heard from me. I wrote, at the same time, to Mr. Hale, giving him the substance of the instructions I had thus far received, urging the importance of Surratt's capture, and transmitting a photograph of the fugitive. I thought it well, also, to advise Mr. Adams, at London, and Mr. Morris, at Constantinople, of all the facts in the case, and wrote to them accordingly, by the same mail. I trust that in all these measures to secure the arrest and extradition of Surratt, I have only anticipated the wishes and directions of the State Department.

Desirous of sending this despatch by to-day's mail, I must reserve for a future communication some remarks upon the existing condition of things in Rome.

I have the honor to be, very respectfully, your obedient servant,

RUFUS KING.

Hon. WILLIAM H. SEWARD,

Secretary of State, &c.

Mr. Hale to Mr. Seward.

No. 68.]

AGENCY AND CONSULATE GENERAL
OF THE UNITED STATES OF AMERICA,
Alexandria, Egypt, December 4, 1866.

SIR: On the 29th ultimo John Harrison Surratt was transferred, under a sufficient guard, from the quarantine grounds to the government prison, where he remains in safe confinement.

He maintains his demeanor of reticence.

I have the honor to be, sir, very respectfully, your obedient servant,

CHARLES HALE

Hon. WILLIAM H. SEWARD,
Secretary of State.

[Extract and accompaniment.]

Mr. Dudley to Mr. Seward.

UNITED STATES CONSULATE,
Liverpool, December 6, 1866.

SIR: I enclose you, marked No. 1, a slip from the Times of to-day, upon the arrest of John Surratt, one of the assassins of President Lincoln, and the extradition treaty between England and the United States.

* * * * *

I am, sir, very respectfully, your obedient servant,

THOMAS H. DUDLEY.

Hon. WILLIAM H. SEWARD,
Secretary of State.

[Extract from Times.]

DECEMBER 6, 1866.

Events have just occurred which will revive the tragical story of President Lincoln's death, and at the same time reopen questions connected with that most embarrassing subject—the extradition of suspected criminals. Among the persons charged with complicity in the assassination was an American named Surratt, whose mother, indeed, actually suffered the last penalty of the law for her share in the crime. Surratt himself, however, effected his escape, and was lost sight of for some time. It now appears that about the beginning of the present year he enlisted in the Papal army, under the assumed name of Watson, and remained in that service undiscovered till midsummer last. At that time he was suddenly recognized by a countryman also serving under the Papal colors, who presently communicated the information to General King, the American minister at Rome. The general, it seems, did not venture to act in the matter without reference to his government, but having at length received directions to arrest the fugitive, he applied to Cardinal Antonelli for the requisite authority. The cardinal replied that his Holiness must be consulted on such a question, but that the Pontifical government would have no desire to screen a murderer from justice. A day or two afterwards his eminence gave orders for the arrest of Surratt, who was actually apprehended, but contrived to escape from his captors, and to get safe across the frontier into Neapolitan territory. On this, General King put himself in communication with the government of Florence, and after some delay again obtained an order for the arrest,

though only on condition, it is said, that the life of the prisoner should be spared. On Sunday, however, the 18th of last month, the American consul at Naples received definite instructions by telegraph to apprehend the fugitive, but it was too late, Surratt had just left Naples by the Tripoli, a Liverpool steamer, bound for Malta and Alexandria. Hereupon the telegraph was again set at work, and the consul general of the United States at Malta was directed to apprehend Surratt while the Tripoli was in harbor. Accordingly, this officer applied to the Maltese government for the necessary powers, but was informed that there was no sufficient authority for the suggested action. Immediately afterwards the Tripoli left for Alexandria, and there, as we are now apprised, Surratt has been actually seized and detained.

In the present state of our information on the subject, it is impossible to pass any opinion on the conduct of our authorities at Malta, though it is obvious to conjecture that the conditions required by law for the arrest and extradition of a fugitive could not have been so completely satisfied by a telegraphic message as to justify action at a moment's notice. If, however, it should be anywhere assumed that we, either through negligence or indifference, lost an opportunity of doing what the Egyptians have done, the conclusion would assuredly be wrong. The law of extradition is full of difficulties at the best, but it is perfectly clear that the evidence and authority required for the arrest of a fugitive would be the same in all cases, whatever might be the nature of the crime imputed. As good reason must be shown for apprehending a murderer as for apprehending a fraudulent bankrupt, we could not strain the law in Surratt's case, whatever might be our detestation of the crime laid to his charge. If the man has met in Egypt the fate which he escaped in Malta, that must be either because the Egyptian authorities required less proof than we do, or because greater proof was forthcoming. Not in the whole of this kingdom would there have been any party found to sympathize with an assassin.

At the same time it need not be disguised that certain subtle questions might possibly have been raised if the extradition of Surratt had come in regular and formal shape before our government. In point of fact, it was actually asked, in the recent debates upon the extradition treaty with France, whether the murder of President Lincoln was or was not a "political" crime—the object of the question being to represent by such illustration the embarrassments by which the proposed convention might be attended. In compacts of this nature, it would be universally admitted that murder is a crime unworthy of asylum, and yet universally required that political refugees should be sheltered. What, then, was to be done with a political murderer? What was to be the treatment of a man whose offence was murder, but whose offending, nevertheless, was in its origin and circumstances entirely and purely political? Nobody would deny that the motives of Booth and his accomplices, in concerting and perpetrating this horrible crime, were political exclusively. The assassination was an incident of the great rebellion, plotted and committed in the cause of the confederate insurgents, by them regarded as patriotic, and not suggested by any of the ordinary incentives to such atrocious deeds. Was the crime, therefore, thus originating, a political crime, and, as such, to be brought within the limits of international protection? We answer without hesitation that it would have deserved no such shelter. Political offences may be clothed with a character of their own, and yet it is certainly not every offence which can be extenuated by a political motive. There are things which are not to be done in any cause, and murder is one of them. Assassins, masked as patriots, have never found favor in this country. With us murder is murder, and cannot be mitigated by any explanatory epithet. We have lately been discussing and analyzing this most heinous of crimes, and seem actually to have arrived at some discriminations in the degrees of guilt involved; but we have never recognized such a definition as political murder. We have always acted, too, on the principle that a murder

committed with political views deserved hanging as much as any other murder. For instance, the Cato-street conspiracy was concocted with political motives, but the conspirators were promptly executed; and even in the present day, with all our leniency, nothing would save such ruffians from the gallows, except, perhaps, the fact that their designs were not actually consummated by bloodshed.

Take, again, the case of the Fenians. A more absurd and hopeless plot than theirs was never conceived, and yet, though its explosion might have been attended by the most shocking scenes, the conspirators did get the benefit of their political character. Even in Canada, where loss of life actually ensued from an outbreak, the criminals, though captured and sentenced, will probably be saved from the scaffold. But suppose half a dozen Fenians had deliberately planned and executed a murder for the sake of promoting their cause, would there be any chance of their escaping the gallows? The crime might be designated as "political," but would the Canadian authorities have any hesitation in dealing with the criminals, or would any party, either in England or America, intercede for them? Take, again, the policy and conduct of the Americans themselves in their civil war. They have drawn the line between what may and what may not be done in a political cause without the utmost distinctness. They have not put to death one single person for the crime of treason or rebellion. They hung a confederate officer who was convicted of horrible and murderous misusage of federal prisoners; and they executed the accomplices of Booth in the murder of the President, Mrs. Surratt included. It was said to be the first time, at any rate for very many years, that a white woman had thus suffered death in the United States, but justice took its course, and nobody accused the American government of violating the laws of modern civilization. These laws do, indeed, condemn the punishment of death for political offences, but political offences must not take the form of murder.

The questions involved in any law of extradition are, and, we fear, always must be, both numerous and perplexing; and for this reason: that the contracting governments have to consider not only abstract offences, but national laws. It would be easy enough to come to an agreement upon the particular crimes to be exempted from the right of asylum; nor do we, indeed, imagine that the introduction even of "political" definitions could give much trouble to practical statesmen. But law can only be enforced by legal procedure, and legal procedure differs widely in different countries. The French think we are trifling with them in exacting the evidence which our magistrates require before surrendering a fugitive; and at this minute a case is before the public in which it is made a grave charge against the Canadian authorities that they deprived an offender of the privileges which our usages might have been held to give him. But as regards such crimes as the murder of Mr. Lincoln, the Americans may assure themselves that no party of Englishmen would wish either to palliate the deed or shield the assassin. Common sense and natural instinct teach us what to feel in a case like that; and though we, like all other free nations, have always gloried in the asylum which we could secure to fugitives, we should never desire to extend our protection to the perpetrators of crimes which no motives could excuse.

Mr. Averill to Mr. Seward.

UNITED STATES CONSULATE GENERAL, B. N. A. P.,
Montreal, December 7, 1866.

SIR: I have the honor to acknowledge the receipt of your telegraphic despatch of the 5th instant, requesting that copies of Mr. Potter's despatches, Nos. 236 and 237, and also of his telegram of the 23d October, respecting John

H. Surratt, be furnished you without delay, and in compliance with that request to transmit herewith copies of despatches Nos. 236 and 237.

There is no record of the telegram of which a copy is desired in this consulate general, but I am informed by the vice-consul general that the facts it contained are all included in despatch No. 236.

I have the honor to be, very respectfully, your obedient servant,

WILLIAM W. AVERILL,

United States Consul General, B. N. A. P.

Hon. W. H. SEWARD,

Secretary of State.

Mr. Winthrop to Mr. F. W. Seward.

No. 189.]

UNITED STATES CONSULATE,

Malta, December 7, 1866.

SIR: I beg to forward the enclosed correspondence which has recently taken place between the consul general in Egypt and myself respecting the prisoner Surratt, as it contains some information which will be of interest for the department to know.

I have the honor to be, sir, your most obedient servant,

WM. WINTHROP, *Consul.*

Hon. F. W. SEWARD,

Acting Secretary of State, Washington, D. C.

CONSUL GENERAL OF THE UNITED STATES OF AMERICA,
Alexandria, Egypt, November 27, 1866.

SIR: In consequence of your letter and of a telegram received from Mr. King, United States minister at Rome, I have this day arrested the man dressed in the uniform of a zouave, calling himself Walters, who came hither in the steamer Tripoli from Naples. There can be no doubt of his identity with John Harrison Surratt, one of the conspirators for the assassination of President Lincoln, and it is probable that he is a deserter from the Papal army. I refer you for further information to the enclosed copy of my despatch to the Secretary of State. I gratefully accept your offer to telegraph for an American man-of-war to come here to receive the prisoner.

Respectfully, your obedient servant,

CHARLES HALE.

WILLIAM WINTHROP, Esq.,

U. S. Consul. Malta.

UNITED STATES CONSULATE,

Malta, December 6, 1866.

SIR: I have the honor to acknowledge the receipt of your communication, as also copy of a despatch to the Hon. Secretary of State, both dated November 27, which reached me by the last mail from Egypt, on December 1, 1866. Learning by these official documents that you had fortunately succeeded in arresting Surratt, I immediately sent telegrams containing this important information to the American minister in London, and to the consuls at Mahon and Gibraltar.

I have since written officially on the subject to the United States consuls in Naples, Marseilles, Leghorn, and Spezzia, as also to the minister in Rome.

I do not know where Admiral Goldsborough is at the present time, but I think, from the various official measures I have adopted, that the admiral will soon hear from me asking for a ship-of-war to be immediately sent to Alexandria, as you have requested, and to stop here for information, when on her way to Egypt.

The passenger on board the steamer Tripoli dressed as a zouave declared himself an American. I cannot understand by what lawful right the representative of any foreign power in Egypt, or the Egyptian government, could claim him, if even so disposed. Had he been arrested here, there might have been a temporary detention, for Surratt called himself a Canadian; but such is not the case with you. Being fully satisfied, as my previous correspondence will show, that the person you now hold in arrest is John Harrison Surratt, I earnestly hope you will keep him safely under guard until the ship-of-war arrives to receive him, which you may shortly expect. You mention that the individual when arrested displayed "neither surprise nor irritation," which I think may be easily accounted for. Having been examined at this island on board of the Tripoli, when giving the name of John Agostine, and stating he was from Canada, he saw very clearly that something was wrong, and in my opinion prepared himself to meet any emergency which might arise on his arrival in Egypt; hence his coolness.

In continuation I would beg to inform you that on Sunday, December 2, 1866, at four p. m., I received a telegram from the American minister at Rome, written in Florence, which may be thus literally translated:

"Surratt arrested in Egypt, A. Hale to guard him until my letters."
"RUFUS KING."

This doubtless means until you hear from him. At nine a. m. on Wednesday, December 5, 1866, I received the following telegram from the American minister in London:

"The government will bring Surratt home by ship-of-war."
"C. F. ADAMS."

From the information I am induced to believe that there has been some telegraphic communication between the honorable Secretary of State at Washington and the American minister in London with reference to Surratt, of which I may hear more certainly when the mail from England arrives. It remains only for me to add at the moment, that whenever I receive any further information it will be transmitted to you by the first opportunity.

I have the honor to be, sir, your most obedient servant,

WM. WINTHROP.

United States Consul.

HON. CHAS. HALE,

American Consul General, Alexandria.

Mr. Hale to Mr. Seward.

No. 70.]

AGENCY AND CONSULATE GENERAL

OF THE UNITED STATES OF AMERICA,

Alexandria, Egypt, December 8, 1866.

SIR: Your telegram in answer to mine of the 27th ultimo was received last evening, the circuit of twelve thousand miles having been completed in ten days, notwithstanding the break in the wire between this place and Malta, which re-

quired my message to go thither by steamer, and delayed the prompt transmission thence of yours. The break was repaired yesterday.

Surratt remains in safe custody, and subject to no jurisdiction other than that of the United States.

I have the honor to be, sir, very respectfully, your obedient servant,

CHARLES HALE.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Seward to Mr. King.

No. 52.]

DEPARTMENT OF STATE, WASHINGTON, D. C.,

December 15, 1866.

SIR: Your despatch of the 26th of November, No. 68, which relates to the case of John H. Surratt, has been received. I commend and thank you for the useful and very interesting details concerning the ways of that offender which you have given me. Among the papers which accompany the despatch is a memorandum which is inscribed "A copy," and the text of which is as follows:

" ROME, November 25, 1866.

" About twelve months ago Mr. Surratt came to Rome, under the name of Watson. In Canada he procured letters from some priest to friends in England. Having left England for Rome, he got letters for some people here, amongst others for Rev. Dr. Neane, rector of the English college. Being detained for some days at Civita Vecchia, and having no money to pay his expenses there, he wrote to Dr. Neane, from whom he received fifty (50) francs.

" On his arrival here he went to the English college, where he lived for some time. After that he entered the Papal service."

The paper bears no signature. The only information you give me from which to determine its authenticity is that you have received it from good authority. I do not know that the statement thus recited would in any case have any value. Certainly, unauthenticated, it can be of no use, other than to awaken curiosity. I think you ought to have given the authority to which you allude. I am aware that the person who imparted the information to you may probably have given it to you as confidential, and that he might even have declined to give it to you at all if you had not agreed to receive it under an injunction of secrecy. Such an injunction neither you nor I have in any case a right to accept. We are agents of the President, in whom the whole executive power of the United States is vested. Clearly the information contained in the paper was designed for him, and not for yourself or for me personally. No one can rightfully claim to impose upon us an injunction to conceal from the President facts which concern the public safety and welfare. I have acted upon the principle which I thus inculcate throughout all the excitements of a civil war. Better to reject all information whatever than to receive it with limitations inconsistent with official duty. What I have written is not to be taken, however, as conveying censure for the past, but rather as an instruction for the future.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

To Mr. KING.

Mr. King to Mr. Seward.

[Extract.]

No. 72.]

LEGATION OF THE UNITED STATES,
Rome, December 17, 1866.

SIR: I hasten to acknowledge the receipt of despatches Nos. 44, 45, 46, and 47, from the State Department, in reply to mine, Nos. 65 and 66, of November 2 and 10, relative to the affair of John H. Surratt. I am gratified to learn that the steps which I felt called upon to take in the matter have met the approval of the department. It will give me great pleasure to convey to Cardinal Antonelli the assurance of the President's sincere satisfaction with the prompt and friendly action of the Papal government.

As anticipated in my last, the United States corvette Swatara, Captain Jeffers, arrived at Civita Vecchia on Wednesday last, 12th instant, and was followed next day by the Frolic, Captain Upshur. The latter brought despatches from the admiral, directing the Swatara to proceed forthwith to Malta. She sailed accordingly at noon next day. At Malta, no doubt Captain Jeffers will receive further instructions from Admiral Goldsborough, who must be in that neighborhood. The Frolic remains at Civita Vecchia awaiting orders.

* * * * *

St. Marie, who first informed me of Surratt being in the corps of zouaves, has been discharged from the Papal service at my request. I have paid him the sum specified in the despatch from the State Department of October 16. Threats had been made against him by some of his old comrades, and thinking that his life was not altogether safe, and that he might be wanted in Alexandria as a witness to identify Surratt, I put him in charge of Captain Jeffers, and he sailed in the Swatara on Friday last. His great desire seems to be to return to America and aid in bringing Surratt to justice. I have seen, as yet, no reason to doubt his good faith or question the truth of his statements.

I have the honor to be, very respectfully, your obedient servant,
RUFUS KING.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Hale to Mr. Seward.

[Telegram.]

Time—8 p. m.

OFFICE UNITED STATES MILITARY TELEGRAPH,
Telegram received at War Department,
Washington, D. C., December 29, 1866.

From cable—

24, 1866.

To Seward:

I delivered Surratt board corvette Swatara twenty-first (21st) December. No trouble.

HALE, *Alexandria.*

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